(3)

BEFORE THE M.P. STATE ADMINISTRATIVE TRIBUNAL
JABALPUR 1600

O.A.No. 5233 of 2000

Applicant : Smt. Veena Pani Mahant
W/o Shri Rama Nath Mahant
Santhosi Ward, Jagdalpur.

Versus

Respondents :

1. State of M.P.
through : Secretary
Forest Department
Mantralaya, BHOPAL

2. The Chief Conservator of Forest
Forest Department
Jagdalpur Circle
JAGDALPUR.

3. The Divisional Forest Officer
Forest Department
Central Bastar Forest Division
JAGDALPUR.

4. Shri.Santosh Kumar Saraf
Lower Division Clerk
Mach Kote Range
C/o D.F.O. Central Bastar
Forest Division, JAGDALPUR.

Application under section 19 of the Administrative Tribunal's Act.

(43)

HIGH COURT OF CHHATTISGARH AT BILASPUR

S.B. : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (S.) NO.2093 OF 2005

Petitioner : Smt. Veena Pani Mahant

versus

Respondents : State of M.P. and others

Present : Mr. Prafull Bharat, counsel for the petitioner.
Mr. Ajay Dwivedi, Panel Lawyer for respondents No.1 to 3.
None appears for respondent No.4.

ORDER
(Passed on 1st of September, 2006)

The petitioner was appointed on daily wages in the establishment of the Divisional Forest Officer, Forest Department, Central Bastar Forest Division, Jagdalpur on 21-9-1984. The petitioner has filed this petition for regularization of his services.

2. Be that as it may, the appointment of the petitioner is not as per the constitutional scheme nor in accordance with law. Thus, in the light of the decision of the Supreme Court in *Secretary,*

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State of Karnataka and others vs. Umadevi (3) and others[1] and in *Mineral Exploration Corporation Employees' Union vs. Mineral Exploration Corporation Limited and another*[2], the petitioner has no right to regularization of her services.

3. However, in the facts of the case, the respondents may consider the case of the petitioner as per direction of the Supreme Court observed in para 53 in the case of *Secretary, State of Karnataka and others* (Supra).

4. For the reasons above-stated, this petition stands dismissed. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

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1 (2006) 4 SCC 1

2 JT 2006 (7) SC 151

Gopal